

---

## **Minutes Tempe Merit System Board August 26, 2011**

---

Minutes of the Tempe Merit System Board meeting, held on Friday, August 26, 2011, 1:30 p.m., City of Tempe Human Resources Conference Room, 1<sup>st</sup> Floor, 20 E. 6th Street, Tempe, Arizona.

**Board Members Present:**

James P. Foley, Chair  
Russell Schoeneman  
Penny Higginbottom

**City Staff Present:**

Renie Broderick, Human Resources Director  
Jon O'Connor, Deputy Human Resources Director  
Susan Buck, HR Technician  
Colleen Pacheco, HR Technician

**Others Present:**

David Niederdeppe  
Polly Rapp

Chair James Foley called the meeting to order at 1:31 p.m.

**ITEM I – Consideration of Meeting Minutes**

Motion by Russell Schoeneman to approve the meeting minutes of July 22, 2011; second by Penny Higginbottom. Motion passed unanimously by voice vote 3-0. Motion by Russell Schoeneman to approve the Executive Session minutes of July 22, 2011; second by Penny Higginbottom. Motion passed unanimously by voice vote 3-0. Mr. Schoeneman asked for a clarification of considering Executive Session minutes in a Public Meeting. In future, Executive Session minutes will be discussed in Executive Session.

**ITEM II – Introduction to the Board's New Legal Counsel**

David Niederdeppe introduced himself and stated that he was contacted by the City Attorney regarding acting as independent legal counsel for the Merit System Board. Mr. Niederdeppe noted that both he and Polly Rapp would be available to share that role as he has a background in public boards, public records, and open meeting law and Ms. Rapp has a background in employment law. There were roundtable introductions of those in attendance. David Niederdeppe noted that after a brief discussion with City staff regarding his services he brought a copy of a standard agreement for the Board to review and for review by the City procurement office. Renie Broderick stated that the City will take care of the details of the contract review and payment for services. Chair James Foley asked if he can contact legal counsel directly without going through Board staff. Ms. Broderick stated yes, as long as staff is kept informed.

**ITEM III – Motion to Adjourn to Executive Session, if necessary**

Russell Schoeneman made a motion to adjourn to Executive Session to discuss legal advice; second by Penny Higginbottom. Motion passed unanimously by voice vote 3-0. The Board recessed to Executive Session at 1:41 p.m.; the meeting was called back to order at 4:20 p.m.

**ITEM IV – Discussion and possible action regarding Board Processes and Guidelines**

Motion to adjourn by Russell Schoeneman; second by Penny Higginbottom. Motion passed on a voice vote 3 - 0.

The meeting adjourned at 4:20 p.m.

A handwritten signature in black ink, appearing to read "Rene Broderick", written over a horizontal line.

Renie Broderick, Merit System Board Secretary